



February 20, 2009

SENATE BILL No. 443

DIGEST OF SB 443 (Updated February 18, 2009 1:30 pm - DI 104)

Citations Affected: IC 20-34.

Synopsis: Student health measurements. Requires each school corporation to: (1) report certain student health data for students in grades 3, 5, and 7 to the state department of health beginning in 2010; and (2) inform the students' parents of the data collected and the right to obtain the data. Requires the state department of health to: (1) develop materials for the school corporation to distribute concerning body mass index; and (2) publish an annual report summarizing the data collected by the school corporations.

Effective: July 1, 2009.

Dillon

January 14, 2009, read first time and referred to Committee on Health and Provider Services.
February 19, 2009, reported favorably — Do Pass.

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SB 443—LS 6916/DI 104+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 443

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-34-3-21 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]: **Sec. 21. (a) Beginning in 2010, each school corporation**
4 **shall collect and record the height, weight, ethnicity, age, and sex**
5 **of the school corporation's students in the following grades:**

6 (1) Grade 3.

7 (2) Grade 5.

8 (3) Grade 7.

9 **The school corporation shall annually report the information**
10 **collected under this subsection to the state department of health.**

11 **(b) The school corporation shall inform the parent or guardian**
12 **of a student tested under subsection (a) in writing that the**
13 **information concerning the student was collected and that the**
14 **parent or guardian may obtain the information from the school**
15 **upon request.**

16 **(c) A school corporation shall report data collected under**
17 **subsection (a) according to rules adopted under this section.**

SB 443—LS 6916/DI 104+



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1 (d) Data may not be reported under this section in a way that
2 makes students personally identifiable.

3 (e) The data collected under this section may not be recorded
4 on:

5 (1) a child's report card;

6 (2) a child's transcript; or

7 (3) another document from which an individual other than the
8 child's family or school personnel could determine the identity
9 of the child.

10 (f) The state department of health, in consultation with the
11 department, shall publish and make available to the public an
12 annual report summarizing data collected under this section.

13 (g) The state department of health shall develop materials for
14 the school corporation to distribute that includes the following:

15 (1) An explanation of body mass index.

16 (2) The limitations of using body mass index.

17 (3) The need to interpret body mass index on an individual
18 basis.

19 (h) The state department of health and the state board shall
20 adopt joint rules under IC 4-22-2 to implement this section. The
21 rules must include the following:

22 (1) Information regarding the importance of accurate
23 measurements and the collection of measurements for
24 improving children's health.

25 (2) Procedures for the measurement of children in a respectful
26 and dignified manner.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 443, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 443 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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